

DISTRICT COURT (FIRST DISTRICT: CACHE COUNTY) [1686]

PROBATE MINUTE/RECORD BOOKS, 1860-1966

32 microfilm reels

DESCRIPTION: This series is made up of minute/record books in which are recorded the official acts and proceedings of the Cache County Probate Court (which was eliminated at statehood in 1896) and its successor, the First District Court, while sitting in Logan, Cache County, Utah. These records were created and maintained by the court clerk, who was required by state statute to keep a minute book (*Utah Code Annotated*, 1953, 17-20-2).

Originated by the Cache County Probate Court during the territorial period, entries in the minute/record books begin in January 1860. Copies of court orders and decrees, discharges, petitions, and notices are typical. Due to the unusual jurisdiction of the Probate Court, the body was not limited to probate and guardianship matters. Although principally a record of estates, early volumes in this series also include minutes/records of criminal and civil cases tried in probate court between May 1860 and September 1873. Recorded information encompasses petitions, applications, various writs, judgments, complaints, appointments, decrees and court orders, indictments, verdicts, pleas, warrants, and summonses. Cases involving commitment to the state mental hospital and adoption are included throughout the entire series.

Elements of both minute books and record books are incorporated in these volumes, which are a daily record of documents filed and actions taken with regard to every matter brought before each session of the court. Through 1904 the clerk began each day's record with the word "Minutes," followed by the name of the presiding judge. However, these early volumes and subsequent tomes more closely follow the style of record books. Administrative details (a brief description of the hearing, including the case number, names of attorneys, date of each development in the case, record of witnesses and evidence introduced, what pleadings, petitions, or motions were made and by whom, and summaries of injunctions, rules, orders,

verdicts, and judgments) and meeting logistics (such as the court site, officers present, the selection and dismissal of jurors, and scheduling and assigning cases) are omitted. A typical case spans multiple dates. Entries in volumes A-Q are handwritten while those in subsequent volumes are typewritten. Minute/record books are no longer produced.

According to statute, the district court has jurisdiction in all matters not excepted by the state constitution and not prohibited by law. During each calendar year the court is required to hold at least three terms at the county seat of each county within the district. The county clerk in each county serves as *ex-officio* clerk to the court and is responsible for maintaining the minute book for actions arising in that county.

ARRANGEMENT: Entries in the probate minute/record books are chronological by date of court session.

RESEARCH NOTE: Probate minute/record books are a daily record of what documents were filed in court on a particular day. No longer produced, probate minute/record books provide useful information both for researchers seeking socioeconomic data on households and those seeking biographical or family history data such as information about the estate, the deceased, and the heirs. Access to the minute/record books is easiest when done in conjunction with the register of actions, which provides the date of each action. It is common practice for the microfilmer to repeat the final few pages filmed at the end of one reel again at the beginning of the next reel, resulting in a slight overlap to ensure that no pages were missed.

RELATED RECORDS: Corresponding case numbers are available through the PROBATE INDEX (Series 22659). Case numbers as well as a summary of actions filed in probate cases, including a brief abstract of motions and orders, the amount of fees collected, and the eventual disposition, are noted in the PROBATE REGISTER OF ACTIONS (series 22724). A collection of all documents and actions pertaining to the probate of wills following death which have been filed with the court clerk make up the PROBATE CASE FILES (series 1532). Copies of wills, bonds, letters testamentary, and related documents filed from 1876 to 1906 were transcribed in PROBATE RECORD BOOKS (series 767). Documents filed in probate cases since 1989 appear in DAILY COURT FILINGS (series 83859).

ACCESS RESTRICTIONS: These records are public with the exception of adoption records, which are sealed for 100 years according to *Utah Code Annotated* 87-19-4 (1953), and commitment proceedings, which are classified by the Administrative Office of the Court as private (Code of Judicial Administration, Rule 4-202, section 3 [G] [iii]). Since restricted information is recorded together with public information, the series must be searched for patrons by staff members. Contact a reference archivist for more information.

CUSTODY HISTORY: The probate minute/record books, created by the Cache County Probate Court, were transferred at statehood (January 1896) to the newly created district court, which assumed jurisdiction for probate cases. The Cache County Clerk was constitutionally designated as *ex-officio* clerk of First District Court in and for Cache County.

PROCESSING NOTE:

PREFERRED CITATION: Cite the Utah State Archives and Records Service, the creating agency name, the series title, and the series number.

CONTAINER LIST

| Reel | Description |
|-------------|---|
| 1 | January 19, 1860-December 18, 1880 [Volume A] |
| 1 | December 13, 1880-May 16, 1884 [Volume B] |
| 2 | May 16, 1884-March 6, 1886 [Volume B] |
| 2 | March 8, 1886-September 30, 1889 [Volume C] |
| 2 | September 30, 1889-February 25, 1891 [Volume D] |
| 3 | February 25, 1891-July 25, 1891 [Volume D] |
| 3 | August 5, 1891-June 3, 1893 [Volume E] |
| 3 | June 8, 1893-March 23, 1895 [Volume F] |
| 3 | March 23, 1895-July 13, 1895 [Volume G] |
| 4 | July 13, 1895-August 22, 1896 [Volume G] |
| 4 | August 22, 1896-March 28, 1898 [Volume H] |
| 4 | March 29, 1898-December 4, 1899 [Volume I] |
| 5 | December 5, 1899-December 11, 1900 [Volume J] |
| 5 | December 11, 1900-July 9, 1901 [Volume K] |
| 5 | July 12, 1901-March 27, 1902 [Volume L] |
| 6 | March 27, 1902-April 23, 1902 [Volume L] |
| 6 | April 23, 1902-December 31, 1902 [Volume M] |
| 6 | December 31, 1902-July 10, 1903 [Volume N] |
| 6 | July 1, 1903-October 12, 1903 [Volume O] |
| 7 | October 12, 1903-December 12, 1903 [Volume O] |
| 7 | December 14, 1903-July 28, 1904 [Volume P] |
| 7 | July 28, 1904-December 17, 1904 [Volume Q] |
| 7 | January 4, 1905-May 16, 1905 [Volume R] |
| 8 | May 16, 1905-December 9, 1905 [Volume R] |
| 8 | December 9, 1905-September 8, 1906 [Volume S] |
| 8 | September 8, 1906-June 15, 1907 [Volume T] |
| 8 | June 15, 1907-October 11, 1907 [Volume U] |
| 9 | October 11, 1907-April 2, 1908 [Volume U] |
| 9 | April 2, 1908-February 23, 1909 [Volume V] |
| 9 | February 20, 1909-October 28, 1909 [Volume W] |
| 9 | October 28, 1909-January 22, 1910 [Volume X] |
| 10 | January 22, 1910-June 6, 1910 [Volume X] |

| Reel | Description |
|-------------|--|
| 10 | June 6, 1910-March 13, 1911 [Volume Y] |
| 10 | March 13, 1911-November 14, 1911 [Volume Z] |
| 10 | November 13, 1911-December 20, 1911 [Volume 1] |
| 11 | December 20, 1911-November 8, 1912 [Volume 1] |
| 11 | November 8, 1912-November 6, 1913 [Volume 2] |
| 11 | November 6, 1913-August 10, 1914 [Volume 3] |
| 12 | August 10, 1914-September 16, 1914 [Volume 3] |
| 12 | September 16, 1914-May 27, 1915 [Volume 4] |
| 12 | May 10, 1915-March 11, 1916 [Volume 5] |
| 12 | March 11, 1916-June 30, 1916 [Volume 6] |
| 13 | June 30, 1916-December 21, 1916 [Volume 6] |
| 13 | December 21, 1916-November 10, 1917 [Volume 7] |
| 13 | November 10, 1917-March 12, 1918 [Volume 8] |
| 14 | March 12, 1918-July 16, 1918 [Volume 8] |
| 14 | July 15, 1918-April 28, 1919 [Volume 9] |
| 14 | June 2, 1919-October 11, 1919 [Volume 10] |
| 15 | October 11, 1919-December 26, 1919 [Volume 10] |
| 15 | December 13, 1919-June 15, 1920 [Volume 11] |
| 15 | June 29, 1920-January 17, 1921 [Volume 12] |
| 16 | January 17, 1921-February 14, 1921 [Volume 12] |
| 16 | February 14, 1921-September 10, 1921 [Volume 13] |
| 16 | September 10, 1921-April 8, 1922 [Volume 14] |
| 16 | April 8, 1922-November 22, 1922 [Volume 15] |
| 17 | November 22, 1922-January 13, 1923 [Volume 15] |
| 17 | January 13, 1923-October 13, 1923 [Volume 16] |
| 17 | October 13, 1923-January 12, 1924 [Volume 17] |
| 18 | January 12, 1924-August 25, 1924 [Volume 17] |
| 18 | August 29, 1924-October 31, 1925 [Volume 18] |
| 18 | October 31, 1925-August 3, 1926 [Volume 19] |
| 19 | August 3, 1926-January 11, 1927 [Volume 19] |
| 19 | January 11, 1927-February 18, 1928 [Volume 20] |
| 19 | February 17, 1928-February 9, 1929 [Volume 21] |
| 20 | February 9, 1929-January 11, 1930 [Volume 22] |
| 20 | January 11, 1930-February 3, 1931 [Volume 23] |
| 20 | February 3, 1931-March 14, 1931 [Volume 24] |
| 21 | March 14, 1931-July 13, 1932 [Volume 24] |
| 21 | July 9, 1932-February 5, 1934 [Volume 25] |
| 21 | January 31, 1934-May 12, 1934 [Volume 26] |
| 22 | May 12, 1934-July 9, 1935 [Volume 26] |
| 22 | April 16, 1935-May 23, 1936 [Volume 27] |
| 22 | May 23, 1936-November 25, 1936 [Volume 28] |
| 23 | November 25, 1936-July 10, 1937 [Volume 28] |
| 23 | July 10, 1937-June 11, 1938 [Volume 29] |
| 23 | June 11, 1938-March 25, 1939 [Volume 30] |
| 24 | March 25, 1939-July 31, 1939 [Volume 30] |
| 24 | July 31, 1939-February 8, 1941 [Volume 31] |
| 24 | February 8, 1941-April 25, 1942 [Volume 32] |
| 25 | April 25, 1942-October 29, 1942 [Volume 32] |

| Reel | Description |
|-------------|---|
| 25 | November 2, 1942-August 12, 1944 [Volume 33] |
| 25 | August 12, 1944-September 19, 1945 [Volume 34] |
| 26 | September 19, 1945-October 31, 1945 [Volume 34] |
| 26 | November 1, 1945-December 2, 1946 [Volume 35] |
| 26 | December 2, 1946-January 17, 1948 [Volume 36] |
| 27 | January 26, 1948-May 7, 1949 [Volume 37] |
| 27 | May 14, 1949-January 22, 1951 [Volume 38] |
| 28 | July 20, 1950-November 10, 1952 [Volume 39] |
| 28 | November 10, 1952-November 22, 1954 [Volume 40] |
| 29 | November 22, 1954-August 13, 1956 [Volume 41] |
| 29 | August 14, 1956-March 13, 1958 [Volume 42] |
| 29 | March 17, 1958-April 15, 1958 [Volume 43] |
| 30 | April 15, 1958-January 11, 1960 [Volume 43] |
| 30 | January 11, 1960-November 6, 1961 [Volume 44] |
| 30 | November 6, 1961-February 13, 1962 [Volume 45] |
| 31 | February 13, 1962-June 10, 1963 [Volume 45] |
| 31 | June 17, 1963-December 7, 1964 [Volume 46] |
| 31 | December 7, 1964-March 22, 1965 [Volume 47] |
| 32 | March 22, 1965-January 3, 1966 [Volume 47] |